

COMMONWEALTH OF MASSACHUSETTS

U.S. DISTRICT COURT OF MASSACHUSETTS  
CIVIL ACTION NO.  
05-10969-NMG

NATIONAL ELECTRIC BENEFIT FUND by its Trustees  
JON F. WALTERS & D.R. BORDEN, JR.  
(Plaintiff)

v.

UPPER CAPE ELECTRICAL, INC.  
(Defendant)

TD BANKNORTH, N.A.  
(Trustee Defendant)

TRUSTEE'S ANSWER

Now comes TD Banknorth, N.A., by and through its keeper of the books and records, and says:  
At the time of service of the Summons, the alleged Trustee had goods, effects, or credits of the  
named Defendant available for attachment in the amounts of \$191.66 and \$1,597.55 standing in  
the name of Upper Cape Electrical, Inc. with respect to which the Bank wishes to submit to the  
court, pursuant to M.G. L. c. 246 14, the question whether the Bank is chargeable as trustee upon  
such facts.

SIGNED UNDER THE PENALTIES OF PERJURY THIS 14<sup>th</sup> DAY OF SEPTEMBER 2005.

TD BANKNORTH, N.A.

BY: 

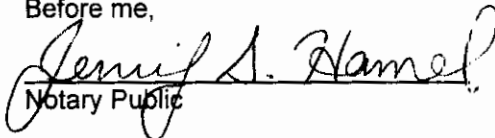
James B. Everhart  
Legal Assistant  
Legal Department  
TD Banknorth, N.A.

STATE OF MAINE  
CUMBERLAND, SS.

September 14, 2005

Personally appeared the above-named James B. Everhart, who acknowledged that the foregoing  
Disclosure was true to the best of his knowledge and belief.

Before me,

  
Notary Public

JENNIFER S. HAMEL  
Notary Public, Maine  
My Commission Expires August 12, 2012